IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 631 of 1998

in

SPECIAL CIVIL APPLICATIONNo 1945 of 1998

For Approval and Signature:

HON'BLE MR.JUSTICE R.S.GARG
and
HON'BLE MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

FIRESTONE EMPLOYEES UNION

Versus

MODISTONE LIMITED

Appearance:

1. LETTERS PATENT APPEAL No. 631 of 1998

MR AK CLERK for Appellant No.

SINGHI & BUCH ASSO. for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE R.S.GARG
and

HON'BLE MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 06/05/2005

ORAL JUDGEMENT

(Per : HON'BLE MR.JUSTICE R.S.GARG)

1. By this Letters Patent Appeal under Clause 15 of the Letters Patent, the appellant Firestone Employees Union is challenging order dated 1/5/1998 where under the Special Civil Application No.1945/1998 was admitted and interim relief in terms of Para No.8(b) was granted.

2. After hearing the parties at length, we are of the opinion that, we are not required to interfere in the matter at this stage specially, in view of the fact that, order dated 1/5/1998 is an exparte order. The present appellant shall be free to make an application to the learned Single Judge for recall of the said order. If, such application is filed by the appellant before the learned Single Judge, after giving due opportunity to the parties, the learned Single Judge shall pass order in accordance with the Law. The appeal is dismissed.

(R.S.GARG, J.)

(RAVI R. TRIPATHI, J.)

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